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HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE Ms. JUSTICE G. ROHINI

-
Writ Appeal No. 902 of 2007

Between:

Putta Govinda Raju

... Appellant

and

The Regional Joint Commissioner,
Endowment Department,
Government of Andhra Pradesh,
Visakhapatnam & another

... Respondents

:: J U D G M E N T ::

Counsel for the appellant : Shri Dontireddy Venkat Reddy

Counsel for respondent No.1 : Government Pleader for
Endowments

Counsel for respondent No.2 : Shri V.T.M. Prasad

26th October, 2007

Per G. S. Singhvi, CJ

This is an appeal for setting aside order dated 20.04.2007 passed by the learned Single Judge, whereby he dismissed the writ petition filed by the appellant against his threatened dispossession

from plot No. 4 measuring 198 square yards comprised in Survey No. 173/1 of Vepagunta Village, Gopalapatnam Mandal, Visakhapatnam District.

Notice to the respondents to show cause as to why the appeal may not be admitted and finally disposed of. Learned Government Pleader for Endowments accepts notice on behalf of respondent No.1. Shri V.T.M. Prasad accepts notice on behalf of respondent No.2.

In reply to the Court's query, the learned Government Pleader and Shri V.T.M. Prasad jointly stated that the appellant shall not be dispossessed from the land in question without following due process of law and that the action, if any, for dispossession of the petitioner will be taken after complying with the provisions of Section 83 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 and the rules of natural justice.

In view of the statement made by the learned counsel, the writ appeal is disposed of as infructuous. Needless to say that if proceedings are initiated by the competent authority under Section 83 of the Act, then the appellant shall be free to raise all legally permissible objections.

As a sequel to disposal of the writ appeal as infructuous, W.A.M.P.No.1803 of 2007 filed by the appellant for expediting hearing of the appeal is also disposed of as infructuous.

G.S. SINGHVI, CJ

Date: 26-10-2007

G. ROHINI, J

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